

From: benb@ntplx.net@inetgw
To: Microsoft ATR
Date: 11/17/01 1:51pm
Subject: Resolution does not address damage done

Dear Sir/Madam:

I am a software consultant who has worked in the software field for 20 years, and have been very much aware of the decreasing consumer choice and elimination of competition caused by Microsoft's destructive monopolistic practices.

I have read the US vs Microsoft anti-trust case resolution and am disappointed that while the settlement attempts to prevent Microsoft from engaging in monopolistic abuse in the future, it contains nothing to remedy the damage already done, or to penalize Microsoft for those actions.

In my opinion one of the most egregious abuses was Microsoft's dumping of it's internet browser product, Internet Explorer, thus successfully destroying Netscape who was attempting to sell a competing product. The argument that internet browsing can reasonably be considered part of operating system functionality is entirely without merit. It is an application pure and simple, just like other Microsoft applications such as Word or Excel which they do not give away because they have already achieved effective monopoly via entrenched proprietary file formats.

I believe that a fair settlement of the Microsoft case should include the following elements:

- 1) Address anti-competitive Microsoft Windows operating system sales practices (already addressed in proposed settlement)
- 2) Punish Microsoft for illegally destroying competition in the Internet Browser product category, and attempt to undo the harm done, by measures such as requiring that Microsoft cease competing in this area for a period of time, and to be required to charge for this product in the future.
- 3) Recognize that electronic document exchange (of word processing documents, spreadsheets, etc.) is key to allowing competition in the software market, and that Microsoft's market dominance and proprietary file formats have damaged the industry and consumer choice by preventing such competition. This should be remedied by requiring Microsoft to make it's file formats public in areas that have achieved utility status such as word processing and spreadsheet software.

Sincerely,

Benedict Bridgwater